
PURPOSE

To describe the Michigan Department of Health and Human Services (MDHHS) process for designating covered and non-covered components.

PROCEDURE

1. The Director of the Bureau of Legal Affairs is responsible for developing and managing a process to determine components within the MDHHS that perform covered functions (covered components).
2. Components of the MDHHS that perform covered functions shall be identified by bureau, division, or office level, as appropriate for a particular program.
3. Determinations of covered and non-covered components shall be documented as "Discussions of HIPAA Applicability" and summarized in an "Enterprise Characterization Summary: Findings".
4. Before finalizing its determinations, the Director of the Bureau of Legal Affairs shall submit the MDHHS's determination of HIPAA applicability for each component to the Attorney General for legal review.
5. Documentation that includes Attorney General legal review shall be retained by the Bureau of Legal Affairs.
6. The Director of the Bureau of Legal Affairs shall periodically update the determinations of covered and non-covered components and enterprise characterization summary to reflect reorganization of functions within the MDHHS.

REFERENCES

45 CFR §164.103 (Definition Hybrid Entity), 45 CFR §164.105(a).

CONTACT

For additional information concerning this procedure, contact the MDHHS Bureau of Legal Affairs